



3728  
6 51

PATENT  
Attorney Docket No. ADI-022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPELLANT: Lussier APPEAL NO.: 2004-1280  
SERIAL NO.: 09/630,938 GROUP NO.: 3728  
FILING DATE: 2-Aug-00 EXAMINER: Marie D. Patterson  
TITLE: *Chassis Construction for an Article of Footwear*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE UNDER M.P.E.P. §1214.06(I)(B)(2)**

In reply to the Office Communication mailed from the United States Patent and Trademark Office on December 1, 2004, Paper No. 31, for which the period of response expires on Monday, January 3, 2005, under 37 C.F.R. § 1.7(a), Appellant respectfully requests entry of this Amendment and Response.

Please amend the above-identified patent application as follows, without prejudice:

- Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.
- Remarks/Arguments begin on page 8 of this paper.

RECEIVED  
JAN 07 2005  
TECHNOLOGY CENTER R3700



PATENT  
Attorney Docket No. ADI-022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Lussier  
SERIAL NO.: 09/630,938 GROUP NO.: 3728  
FILING DATE: 2-Aug-00 EXAMINER: Marie D. Patterson  
TITLE: *Chassis Construction for an Article of Footwear*

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 28<sup>th</sup> day of December, 2004.

  
Monika A. Pychynska

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

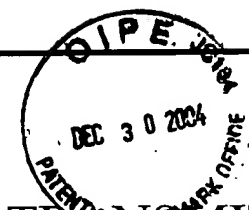
Submitted herewith are the following:

- (1) Transmittal Form (1 pg.);
- (2) Amendment and Response (9 pgs.); and
- (3) a return receipt postcard.

RECEIVED

JAN 07 2005

TECHNOLOGY CENTER R3700



# TRANSMITTAL FORM

Application Serial Number	09/630,938
Filing Date	2-Aug-00
First Named Inventor	Lussier
Confirmation No.	
Group Art Unit	3728
Examiner Name	Marie D. Patterson
Attorney Docket No.	ADI-022
Patent No.	Not applicable
Issue Date	Not applicable

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____] <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
---	---	---

RECEIVED

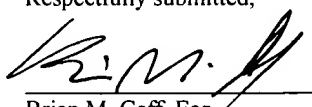
JAN 07 2005

TECHNOLOGY CENTER NO. 00

## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Respectfully submitted,  
  
Brian M. Gaff, Esq.  
Attorney for Applicant  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110-2704

Date: December 28, 2004  
Reg. No.: 44,691  
Tel. No.: (617) 310-8085  
Fax No.: (617) 790-0332  
Email: gaff@ttht.com